

EXHIBIT 9

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

-----X
UNITED STATES, ET AL., :
:
Plaintiff, :
:
Case No. :
v. : 1:23-cv-00108-LMB-JFA
:
GOOGLE LLC, :
:
Defendant. :
-----X

VIDEOTAPED DEPOSITION OF SUSAN A. MCMEEN
Thursday, September 7, 2023; 9:45 a.m. EDT

Reported by: Cindy L. Sebo, RMR, CRR, RPR, CSR, CCR,
CLR, RSA, NYRCR, NYACR, CA CSR 14409, NJ CCR
30XI00244600, NJ CRT 30XR00019500, Washington State CSR
23005926, Oregon CSR 230105, TN CSR 998, NW CSR 589,
Remote Counsel Reporter, LiveLitigation Authorized
Reporter, Notary Public
Job No. 6067835

<p style="text-align: right;">Page 2</p> <p>1 Videotaped Deposition of SUSAN A. MCMEEN, 2 held at the law offices of Paul, Weiss, Rifkind, 3 Wharton & Garrison LLP, 2001 K Street, Northwest, 4 Washington, D.C. 20006, before Cindy L. Sebo, 5 Registered Merit Court Reporter, Certified Real-Time 6 Reporter, Registered Professional Reporter, Certified 7 Shorthand Reporter, Certified Court Reporter, Certified 8 LiveNote Reporter, Real-Time Systems Administrator, 9 California Shorthand Reporter 14409, New Jersey 10 Certified Court Reporter 30XI00244600, New Jersey 11 Certified Realtime Reporter 30XR00019500, New York 12 Realtime Certified Reporter, New York Association 13 Certified Reporter, Washington State CSR 23005926, 14 Oregon CSR 230105, Tennessee CSR 998, New Mexico 15 CSR 589, Remote Counsel Reporter, LiveLitigation 16 Authorized Reporter and Notary Public, beginning at 17 approximately 9:45 a.m. EDT, when were present on 18 behalf of the respective parties: 19 20 21 22</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S (Continued): 2 Attorneys for Plaintiff: 3 U.S. DEPARTMENT OF TRANSPORTATION 4 ERIN D. HENDRIXSON, ESQUIRE 5 ASHLEY SIMPSON, ESQUIRE 6 1200 New Jersey Avenue, Southeast 7 Washington, D.C. 20590 8 erin.hendrixson@usdot.gov 9 ashley.simpson@usdot.gov 10 11 Attorneys for Defendant: 12 PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP 13 CARTER E. GREENBAUM, ESQUIRE 14 MARTHA L. GOODMAN, ESQUIRE 15 2001 K Street, Northwest 16 Washington, D.C. 20008-1047 17 cgreenbaum@paulweiss.com 18 mgoodman@paulweiss.com 19 20 21 ALSO PRESENT: 22 ORSON BRAITWAITHE, Videographer</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S: 2 Attorneys for Plaintiff: 3 U.S. DEPARTMENT OF JUSTICE 4 ANTITRUST DIVISION 5 MARK H.M. SOSNOWSKY, ESQUIRE 6 DAVID GROSSMAN, ESQUIRE 7 ALVIN CHU, ESQUIRE 8 450 Fifth Street, Northwest 9 Washington, D.C. 20530 10 202.412.7316 11 mark.sosnowsky@usdoj.gov 12 david.grossman@usdoj.gov 13 alvin.chu@usdoj.gov 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">Page 5</p> <p>1 --oOo-- 2 INDEX OF EXAMINATION 3 SUSAN A. MCMEEN 4 United States, et al. vs. Google, LLC 5 Thursday, September 7, 2023 6 --oOo-- 7 8 EXAMINATION BY PAGE 9 Mr. Greenbaum 15, 187 10 11 12 13 14 15 16 CERTIFICATE OF REPORTER 426 17 18 ERRATA 428 19 20 21 22 23 ACKNOWLEDGMENT OF WITNESS 429</p>

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2	INDEX TO EXHIBITS (Continued)			2	INDEX TO EXHIBITS (Continued)		
3	SUSAN A. MCMEEN			3	SUSAN A. MCMEEN		
4	United States, et al. vs. Google, LLC			4	United States, et al. vs. Google, LLC		
5	Thursday, September 7, 2023			5	Thursday, September 7, 2023		
6	--oOo--			6	--oOo--		
7	DEPOSITION			7	DEPOSITION		
8	EXHIBIT NUMBER DESCRIPTION PAGE			8	EXHIBIT NUMBER DESCRIPTION PAGE		
9	Exhibit 109 E-mail string with attachment,			9	Exhibit 115 Collection of documents,		
10	Bates stamped			10	Bates stamped		
11	NHTSA-ADS-0000250045 through			11	NHTSA-ADS-0000733231 through		
12	NHTSA-ADS-0000250049 276			12	NHTSA-ADS-0000733298 369		
13	Exhibit 110 E-mail with attachment, McMeen			13	Exhibit 116 E-mail string, Bates stamped		
14	to Vallese, cc: McMeen, January			14	NHTSA-ADS-0000648144 through		
15	24, 2023, Bates stamped			15	NHTSA-ADS-0000648146 378		
16	NHTSA-ADS-0000328452 through			16			
17	NHTSA-ADS-0000328455 299			17	Exhibit 117 E-mail string, Bates stamped		
18	Exhibit 111 Determination and Finding			18	NHTSA-ADS-0000484070 through		
19	checklists, Bates stamped			19	NHTSA-ADS-0000484071 388		
20	NHTSA-ADS-0000718826 through			20			
21	NHTSA-ADS-0000718831 332			21			
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3	SUSAN A. MCMEEN			3	--oOo--		
4	United States, et al. vs. Google, LLC			4	Washington, D.C.		
5	Thursday, September 7, 2023			5	--oOo--		
6	--oOo--			6	Thursday, September 7, 2023; 9:45 a.m. EDT		
7	DEPOSITION			7	--oOo--		
8	EXHIBIT NUMBER DESCRIPTION PAGE			8	THE VIDEOGRAPHER: Good morning.		
9	Exhibit 112 E-mail with attachment, McMeen			9	We are going on the record at 9:45 a.m.		
10	to Susan and John, September			10	on September 7th, 2023.		
11	29, 2022, Bates stamped			11	Please note that the microphones		
12	NHTSA-ADS-0000384605 through			12	are sensitive and may pick up whispering		
13	NHTSA-ADS-0000384607 343			13	and private conversations. Please mute		
14	Exhibit 113 E-mail string, Bates stamped			14	your phones at this time.		
15	NHTSA-ADS-0000511601 through			15	Audio and video recording will		
16	NHTSA-ADS-0000511602 345			16	continue to take place unless all parties		
17	Exhibit 114 E-mail string with attachment,			17	agree to go off the record.		
18	Bates stamped			18	This is Media Unit 1 of the		
19	NHTSA-ADS-0000344712 through			19	videorecorded deposition of		
20	NHTSA-ADS-0000344848 358			20	Ms. Susan McMeen, in the matter of		
21				21	United States, et al. versus Google LLC,		
22				22	filed in the United States District		

<p style="text-align: right;">Page 318</p> <p>1 you --</p> <p>2 A. February, March. I don't remember</p> <p>3 when.</p> <p>4 Q. Okay. What was your understanding,</p> <p>5 prior to him reaching out to you, of any</p> <p>6 anticompetitive conduct on the part of Google</p> <p>7 affecting NHTSA's advertising?</p> <p>8 MR. SOSNOWSKY: So I'm going to</p> <p>9 instruct -- object on the grounds of</p> <p>10 privilege.</p> <p>11 To the extent that your answer</p> <p>12 would contain information received from</p> <p>13 counsel, I would instruct you not to</p> <p>14 answer. But you can answer that question</p> <p>15 otherwise if you have that information.</p> <p>16 BY MR. GREENBAUM:</p> <p>17 Q. And to be clear, I'm asking you for</p> <p>18 your understanding prior to Mr. Hench reaching</p> <p>19 out to you.</p> <p>20 MR. SOSNOWSKY: Or any other</p> <p>21 counsel, I would assume.</p> <p>22 MR. GREENBAUM: Well, Mr. Hench</p>	<p style="text-align: right;">Page 320</p> <p>1 MR. SOSNOWSKY: Same objection.</p> <p>2 THE WITNESS: No.</p> <p>3 BY MR. GREENBAUM:</p> <p>4 Q. At this time, what are your</p> <p>5 feelings or views on your personal participation</p> <p>6 in providing the information that Mr. Lynch</p> <p>7 requested of you?</p> <p>8 MR. SOSNOWSKY: Objection to form.</p> <p>9 I just need a moment to take a</p> <p>10 look at that question.</p> <p>11 (Whereupon, counsel reviews the</p> <p>12 real-time screen).</p> <p>13 MR. SOSNOWSKY: You can answer</p> <p>14 that question as long as you're not</p> <p>15 divulging the specifics of what</p> <p>16 information was requested of you or what</p> <p>17 information you provided to counsel.</p> <p>18 THE WITNESS: Okay.</p> <p>19 Can you repeat the question?</p> <p>20 BY MR. GREENBAUM:</p> <p>21 Q. At this time, what are your</p> <p>22 feelings or views on your personal participation</p>
<p style="text-align: right;">Page 319</p> <p>1 was the first.</p> <p>2 BY MR. GREENBAUM:</p> <p>3 Q. So do you want me to ask the</p> <p>4 question again?</p> <p>5 A. Sure, that would be lovely.</p> <p>6 Q. What was your understanding of any</p> <p>7 anticompetitive conduct on the part of Google</p> <p>8 affecting NHTSA's advertising prior to Mr. Hench</p> <p>9 reaching out to you concerning this matter?</p> <p>10 A. I don't remember anything.</p> <p>11 Q. Prior to Mr. Hench reaching out to</p> <p>12 you, did you have any views as to whether NHTSA</p> <p>13 had been affected by any anticompetitive conduct</p> <p>14 on the part of Google?</p> <p>15 MR. SOSNOWSKY: Object to form.</p> <p>16 THE WITNESS: Can you repeat the</p> <p>17 question?</p> <p>18 BY MR. GREENBAUM:</p> <p>19 Q. Prior to Mr. Lynch [sic] reaching</p> <p>20 out to you, did you have any views as to whether</p> <p>21 NHTSA had been affected by any anticompetitive</p> <p>22 conduct on the part of Google?</p>	<p style="text-align: right;">Page 321</p> <p>1 in providing information requested by Mr. Lynch?</p> <p>2 MR. SOSNOWSKY: Same objections.</p> <p>3 THE WITNESS: So his name is</p> <p>4 actually Hench, not Lynch.</p> <p>5 BY MR. GREENBAUM:</p> <p>6 Q. Hench?</p> <p>7 A. Hench.</p> <p>8 Q. Thanks.</p> <p>9 Okay.</p> <p>10 A. Just wanted to clarify that.</p> <p>11 I'm just doing my job.</p> <p>12 Q. Did you ask Stratacomm for help to</p> <p>13 provide information to Mr. Hench to respond to</p> <p>14 his inquiry?</p> <p>15 MR. SOSNOWSKY: So that's a</p> <p>16 yes-or-no question, and you can answer it</p> <p>17 yes or no.</p> <p>18 THE WITNESS: I, personally, did</p> <p>19 not.</p> <p>20 BY MR. GREENBAUM:</p> <p>21 Q. Did you ask Ad Council?</p> <p>22 MR. SOSNOWSKY: Same instructions.</p>

